

Exhibit 5

April 24, 2009

William J. Goetz

**Deposition Transcript
Excerpts**

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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN
GREEN BAY DIVISION

APPLETON PAPERS INC. and
NCR CORPORATION,

Plaintiffs,

vs. Case No. 08-CV-16-WCG

GEORGE A. WHITING PAPER
COMPANY, et al.,

Defendants.

NCR CORPORATION,

Plaintiff,

vs. Case No. 08-CV-0895-WCG

KIMBERLY-CLARK CORPORATION,
et al.,

Defendants.

Deposition of WILLIAM J. GOETZ

Friday, April 24, 2009

9:00 a.m.

at

CopperLeaf Hotel
300 West College Avenue
Appleton, Wisconsin

Reported by Julie A. Poenitsch, RPR/RDR/CRR

1 said?

2 A My term, that's my term.

3 Q Okay. Have you heard of the term "licensee"?

4 A I know what a licensee is. To my knowledge,
5 Appleton was not a licensee of NCR.

6 Q And we're talking about the -- just to make sure
7 we're on the same page -- talking about the 19 --
8 from when you started at Appleton Coated Paper
9 Company until your promotion in 1971, your
10 understanding was that they were an independent
11 contractor and not a licensee?

12 A That would -- but that's all I know. I had a
13 fairly low level job there. I just -- and I don't
14 remember ever hearing anybody refer to Appleton
15 Coated as a licensee of NCR.

16 Q Okay. With regard to your understanding --

17 A Excuse me.

18 Q That's fine.

19 With regard to your understanding of the
20 relationship between Appleton Coated and NCR during
21 that time period -- try that again.

22 What was your understanding of the
23 relationship between Appleton Coated and NCR during
24 that time period? Independent contractor meant
25 what to you?

1 A They would give us orders for product. We would
2 buy the base paper from approved sources by NCR.
3 We would buy the capsule material from NCR. We
4 would buy the starch and whatever additives from
5 other suppliers as directed by NCR. And we would
6 buy the receiver material, the CF material, from
7 NCR.

8 Our job was to take those -- not from
9 NCR, I'm sorry. We'd buy the materials as
10 specified by NCR.

11 We would take those materials and put
12 them together in formulas that were provided by
13 NCR. And then we would apply that to paper, to the
14 specifications by NCR, the amount of material that
15 went on there, with some leeway to make sure that
16 we met the requirements of the finished product
17 that were defined by NCR.

18 And then we would cut the paper up into
19 rolls or sheets, do orders as provided by NCR, and
20 we would ship the material to customers as defined
21 by NCR. That's why I call it a custom coating
22 facility.

23 Q You mentioned a lot of things. I had to regroup
24 for a minute.

25 A Shucks.